

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

ELIZABETH MOELLER, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

THE WEEK PUBLICATIONS, INC.,

Defendant.

Case No. 22-cv-10666-TLL-PTM

Hon. Thomas L. Ludington

**SUPPLEMENTAL DECLARATION OF RYAN BAHRY REGARDING  
REVISED CAFA NOTICE**

I, RYAN BAHRY, declare and state as follows:

1. I am a Director at JND Legal Administration (“JND”). JND is a legal administration service provider with its headquarters located in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action cases.

2. JND is serving as the Settlement Administrator<sup>1</sup> in the above-captioned litigation (“Action”), for the purposes of administering the Class Action Settlement Agreement (“Settlement Agreement”), preliminarily approved by the Court in its Opinion and Order (1) Granting Plaintiffs’ Motion for Preliminary Approval of Settlement, (2) Certifying Settlement Class, (3) Appointing Class Representative, (4) Appointing Class Counsel, (5) Approving Notice Plan, (6) Appointing Claims Administrator, (7) Directing Publication of Notice, and (8) Setting Scheduling Order, dated January 6, 2023 (“Order”).

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<sup>1</sup> Capitalized terms used and not otherwise defined herein shall have the meanings given such terms in the Class Action Settlement Agreement (“Settlement Agreement”).

3. This Supplemental Declaration is meant to supplement my previous declaration dated May 19, 2023 (the “Declaration”). This Supplemental Declaration is based on my personal knowledge and information provided to me by experienced JND employees and, if called on to do so, I could and would testify competently thereto.

**REVISED CAFA NOTICE**

4. As detailed in the Declaration, JND mailed a CD-ROM to comply with the Class Action Fairness Act (“CAFA”) 28 U.S.C. § 1715 on January 11, 2023. On June 6, 2023, the Court ordered JND to disseminate revised CAFA notice to the appropriate government officials (in its “Order Adjourning Final Approval Hearing and Directing Notice”). In order to comply with the Court, JND compiled a CD-ROM with the following documents in accordance with CAFA:

- a. Class Action Complaint, filed March 28, 2022;
- b. First Amended Class Action Complaint, filed August 5, 2022;
- c. Second Amended Class Action Complaint, filed November 3, 2022;
- d. Plaintiff’s Unopposed Motion for Preliminary Approval of Class Action Settlement, filed November 21, 2022;
- e. Class Action Settlement Agreement, filed December 21, 2022;
- f. Email Notice, filed December 21, 2022;
- g. Postcard Notice, filed December 21, 2022;
- h. Long Form Notice, filed December 21, 2022;
- i. Claim Form for Unidentified Class Members, filed December 21, 2022;
- j. Opinion and Order Denying Without Prejudice Plaintiff’s Motion for Preliminary Approval of Settlement, entered December 15, 2022;

- k. Plaintiff's Revised Unopposed Motion for Preliminary Approval of Class Action Settlement, filed December 21, 2022;
- l. Opinion and Order (1) Granting Preliminary Approval of Settlement, (2) Certifying Settlement Class, (3) Appointing Class Representative, (4) Appointing Class Counsel, (5) Approving Notice Plan, (6) Appointing Claims Administrator, (7) Directing Publication of Notice, and (8) Setting Scheduling Order, entered on January 6, 2023;
- m. Plaintiff's Unopposed Motion for Attorneys' Fees, Costs, Expenses, and Service Award, filed on April 10, 2023;
- n. Plaintiff's Unopposed Motion for Final Approval of Class Action Settlement, filed on May 22, 2023;
- o. Order Adjourning Final Approval Hearing and Directing Notice, entered on June 6, 2023;
- p. List of Class Members by State; and
- q. Proportionate Share of Class Members by State.

5. The CD-ROM was mailed on June 9, 2023, to the appropriate Federal and State officials identified in the attachment with an accompanying cover letter, a copy of which is attached hereto as **Exhibit A**.

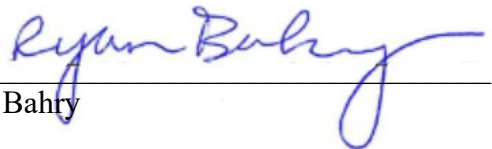
#### **SETTLEMENT WEBSITE**

6. As detailed in the Declaration, JND established a Settlement Website ([www.TheWeekSettlement.com](http://www.TheWeekSettlement.com)) for this matter. On June 6, 2023, the Court ordered JND to update the Settlement Website to reflect the new date and time of the Final Approval Hearing (in its "Order Adjourning Final Approval Hearing and Directing Notice"). JND promptly updated the

date and time of the Final Approval Hearing in all applicable areas on the Settlement Website on June 6, 2023. JND will continue to update and maintain the Settlement Website throughout the administration process.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed September 11, 2023 in Seattle, Washington

  
\_\_\_\_\_  
Ryan Bahry

# EXHIBIT A



June 9, 2023

United States Attorney General  
and the Appropriate Officials  
Identified in Attachment A

**RE: CAFA Notice of Proposed Class Action Settlement**

Dear Sir or Madam:

This Notice is being provided to you in accordance with the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715 on behalf of The Week Publications, Inc., the Defendant in the below-referenced class action ("the Action"). Plaintiff's Revised Unopposed Motion for Preliminary Approval of Class Action Settlement was filed with the Court on December 21, 2022, and preliminary approval was granted on January 6, 2023. The Court has scheduled a final approval hearing on October 5, 2023.

<b>Case Name:</b>	<i>Moeller v. The Week Publications, Inc.</i>
<b>Case Number:</b>	22-cv-10666-TLL-PTM
<b>Jurisdiction:</b>	United States District Court, Eastern District of Michigan
<b>Date Settlement filed with Court:</b>	December 21, 2022

Copies of all materials filed in the above-named actions are electronically available on the Court's Pacer website found at <https://pcl.uscourts.gov>. Additionally, in compliance with 28 U.S.C. § 1715(b), the enclosed CD-ROM contains the following documents filed in the Action:

**01 - Complaint.pdf**

Class Action Complaint, filed March 28, 2022

**02 - First Amended Complaint.pdf**

First Amended Class Action Complaint, filed August 5, 2022

**03 - Second Amended Complaint.pdf**

Second Amended Class Action Complaint, filed November 3, 2022

**04 - Motion for Preliminary Approval.pdf**

Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement, filed November 21, 2022

**05 - Settlement Agreement.pdf**

Class Action Settlement Agreement, filed on November 21, 2022

**06 - Email Notice.pdf**

Email Notice, filed on November 21, 2022

**07 - Postcard Notice.pdf**

Postcard Notice, filed on November 21, 2022

**08 - Long Form Notice.pdf**

Long Form Notice, filed on November 21, 2022

**09 - Claim Form.pdf**

Claim Form for Unidentified Class Members, filed on November 21, 2022

**10 - Order Denying Preliminary Approval.pdf**

Opinion and Order Denying Without Prejudice Plaintiff's Motion for Preliminary Approval of Settlement, entered December 15, 2022

**11 - Revised Motion for Preliminary Approval.pdf**

Plaintiff's Revised Unopposed Motion for Preliminary Approval of Class Action Settlement, filed December 21, 2022

**12 - Preliminary Approval Order.pdf**

Opinion and Order (1) Granting Plaintiffs' Motion for Preliminary Approval of Settlement, (2) Certifying Settlement Class, (3) Appointing Class Representative, (4) Appointing Class Counsel, (5) Approving Notice Plan, (6) Appointing Claims Administrator, (7) Directing Publication of Notice, and (8) Setting Scheduling Order, entered on January 6, 2023

**13 - Fee Motion.pdf**

Plaintiff's Unopposed Motion for Attorneys' Fees, Costs, Expenses, and Service Award, filed on April 10, 2023

**14 - Final Approval Motion.pdf**

Plaintiff's Unopposed Motion for Final Approval of Class Action Settlement, filed on May 22, 2023

**15 - Order Adjourning Hearing.pdf**

Order Adjourning Final Approval Hearing and Directing Notice, entered on June 6, 2023

**16 - List of Class Members by State.pdf**

**17 - Proportionate Share of Class Members by State.pdf**

There are no other settlements or agreements made between Counsel for the parties related to the class defined in the proposed settlement, and as of the date of this Notice, no Final Judgment or notice of dismissal has been entered in this case.

If you have any questions regarding the details of the case and settlement, please contact Defense Counsel's representatives at:

Walter E. Diercks  
Rubin, Winston, Diercks, Harris & Cooke, LLP  
1250 Connecticut Ave., NW, Suite 700  
Washington, DC 20036  
Phone: (202) 861-0870

Email: [wdiercks@rwdhc.com](mailto:wdiercks@rwdhc.com)

For questions regarding this Notice, please contact JND at:

JND Class Action Administration  
1100 2nd Ave, Suite 300  
Seattle, WA 98101  
Phone: 800-207-7160

Regards,

JND Legal Administration

Encl.



CAFA Notice – Attachment A – Service List

Treg R. Taylor  
Office of the Attorney General  
1031 W 4th Ave  
Ste 200  
Anchorage, AK 99501

Steve Marshall  
Attorney General's Office  
501 Washington Ave  
Montgomery, AL 36104

Tim Griffin  
Office of the Attorney General  
323 Center St  
Ste 200  
Little Rock, AR 72201

Kris Mayes  
Office of the Attorney General  
2005 N Central Ave  
Phoenix, AZ 85004

CAFA Coordinator  
Office of the Attorney General  
Consumer Protection Section  
455 Golden Gate Ave., Ste 11000  
San Francisco, CA 94102

Phil Weiser  
Office of the Attorney General  
Ralph L. Carr Judicial Building  
1300 Broadway, 10th Fl  
Denver, CO 80203

William Tong  
Office of the Attorney General  
165 Capitol Ave  
Hartford, CT 06106

Kathy Jennings  
Delaware Department of Justice  
Carvel State Office Building  
820 N French Street  
Wilmington, DE 19801

Ashley Moody  
Office of the Attorney General  
State of Florida  
PL-01 The Capitol  
Tallahassee, FL 32399

Chris Carr  
Office of the Attorney General  
40 Capitol Sq SW  
Atlanta, GA 30334

Anne E. Lopez  
Department of the Attorney General  
425 Queen Street  
Honolulu, HI 96813

Brenna Bird  
Office of the Attorney General  
Hoover State Office Building  
1305 E. Walnut Street Rm 109  
Des Moines, IA 50319

Raúl R. Labrador  
Office of the Attorney General  
700 W. Jefferson St, Suite 210  
Boise, ID 83720

Kwame Raoul  
Office of the Attorney General  
James R. Thompson Center  
100 W. Randolph St  
Chicago, IL 60601

CAFA Notice - Attachment A - Service List

Todd Rokita  
Office of the Attorney General  
Indiana Government Center South  
302 W Washington St 5th Fl  
Indianapolis, IN 46204

Kris W. Kobach  
Office of the Attorney General  
120 SW 10th Ave  
2nd Fl  
Topeka, KS 66612

Daniel Cameron  
Office of the Attorney General  
Capitol Building  
700 Capitol Ave Ste 118  
Frankfort, KY 40601

Jeff Landry  
Office of the Attorney General  
1885 N. Third St  
Baton Rouge, LA 70802

CAFA Coordinator  
General Counsel's Office  
Office of Attorney General  
One Ashburton Pl, 20th Floor  
Boston, MA 02108

Anthony G. Brown  
Office of the Attorney General  
200 St. Paul Pl  
Baltimore, MD 21202

Aaron Frey  
Office of the Attorney General  
6 State House Station  
Augusta, ME 04333

Dana Nessel  
Department of Attorney General  
G. Mennen Williams Building, 7th Fl  
525 W Ottawa St  
Lansing, MI 48933

Keith Ellison  
Office of the Attorney General  
445 Minnesota St  
Suite 1400  
St. Paul, MN 55101

Andrew Bailey  
Attorney General's Office  
Supreme Court Building  
207 W High St  
Jefferson City, MO 65101

Lynn Fitch  
Office of the Attorney General  
Walter Sillers Building  
550 High St Ste 1200  
Jackson, MS 39201

Austin Knudsen  
Office of the Attorney General  
Justice Building, Third Fl  
215 N. Sanders  
Helena, MT 59601

Josh Stein  
Attorney General's Office  
114 W Edenton St  
Raleigh, NC 27603

Drew H. Wrigley  
Office of the Attorney General  
State Capitol, 600 E Boulevard Ave  
Dept. 125  
Bismarck, ND 58505

CAFA Notice – Attachment A – Service List

Mike Hilgers  
Attorney General's Office  
2115 State Capitol  
Lincoln, NE 68509

John Formella  
Office of the Attorney General  
NH Department of Justice  
33 Capitol St.  
Concord, NH 03301

Matthew J. Platkin  
Office of the Attorney General  
Richard J. Hughes Justice Complex  
25 Market St 8th Fl, West Wing  
Trenton, NJ 08611

Raúl Torrez  
Office of the Attorney General  
Villagra Building  
408 Galisteo Street  
Santa Fe, NM 87501

Aaron Ford  
Office of the Attorney General  
Old Supreme Court Building  
100 N Carson St  
Carson City, NV 89701

CAFA Coordinator  
Office of the Attorney General  
28 Liberty St  
15th Fl  
New York, NY 10005

Dave Yost  
Attorney General's Office  
State Office Tower  
30 E Broad St 14th Fl  
Columbus, OH 43215

Gentner Drummond  
Office of the Attorney General  
313 NE 21st St  
Oklahoma City, OK 73105

Ellen F. Rosenblum  
Oregon Department of Justice  
Justice Building  
1162 Court St NE  
Salem, OR 97301

Michelle Henry  
PA Office of the Attorney General  
Strawberry Square 16th Fl  
Harrisburg, PA 17120

Peter F. Neronha  
Office of the Attorney General  
150 S Main St  
Providence, RI 02903

Alan Wilson  
Office of the Attorney General  
Rembert C. Dennis Bldg  
1000 Assembly St Rm 519  
Columbia, SC 29201

Marty Jackley  
Office of the Attorney General  
1302 E Highway 14  
Ste 1  
Pierre, SD 57501

Jonathan Skrmetti  
Office of the Attorney General  
500 Dr Martin L King Jr Blvd  
Nashville, TN 37219

CAFA Notice – Attachment A – Service List

Ken Paxton  
Office of the Attorney General  
300 W. 15th St  
Austin, TX 78701

Sean D. Reyes  
Office of the Attorney General  
Utah State Capitol Complex  
350 North State St Ste 230  
Salt Lake City, UT 84114

Jason S. Miyares  
Office of the Attorney General  
202 N. Ninth St.  
Richmond, VA 23219

Charity R. Clark  
Attorney General's Office  
109 State St.  
Montpelier, VT 05609

Bob Ferguson  
Office of the Attorney General  
1125 Washington St SE  
Olympia, WA 98501

Josh Kaul  
Attorney General's Office  
P.O. Box 7857  
Madison, WI 53707

Patrick Morrissey  
Office of The Attorney General  
State Capitol, 1900 Kanawha Blvd E  
Building 1 Rm E-26  
Charleston, WV 25305

Bridget Hill  
Office of the Attorney General  
109 State Capitol  
200 W 24th St  
Cheyenne, WY 82002

Brian Schwalb  
Office of the Attorney General  
400 6th St NW  
Washington, DC 20001

Merrick Garland  
Office of the U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave NW  
Washington, DC 20530

Fainu'ulelei Falefatu Ala'ilima-Utu  
Department of Legal Affairs  
Exec Ofc Bldg, 3rd Fl  
P.O. Box 7  
Utulei, AS 96799

Douglas B. Moylan  
Office of the Attorney General  
Administration Division  
590 S Marine Corps Dr, Suite 901  
Tamuning, GU 96913

Edward Manibusan  
Office of the Attorney General  
Administration Building  
P.O. Box 10007  
Saipan, MP 96950

Domingo Emanuelli Hernández  
Dpto. de Justicia de Puerto Rico  
Calle Teniente César González 677  
Esq. Ave. Jesús T. Piñero  
San Juan, PR 00918

**CAFA Notice - Attachment A - Service List**

Carol Thomas-Jacobs  
Office of the Attorney General  
3438 Kronprindsens Gade  
GERS Building 2nd Fl  
St. Thomas, VI 00802

Joses R. Gallen  
Department of Justice  
P.O. Box PS-105  
Palikir  
Pohnpei State, FM 96941

Richard Hickson, Attorney General  
C/O Marshall Islands Embassy  
2433 Massachusetts Ave NW  
Washington, DC 20008

Ernestine K. Rengiil  
Office of the Attorney General  
P.O. Box 1365  
Koror, PW 96940